

**Notice of Allowability**

Application No.

09/909,057

Examiner

Trent J Roche

Applicant(s)

PARK, COLLIN Y.

Art Unit

2124

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communications filed 19 July 2001.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☒ The drawings filed on 19 July 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|   | 9. <input type="checkbox"/> Other _____   |

### DETAILED ACTION

1. This office action is responsive to communications filed 19 July 2001.
2. Claims 1-20 have been examined.

#### *Allowable Subject Matter and Examiner's Statement of Reason(s) for Allowance*

3. Claims 1-20 are allowed.
4. The following is an examiner's statement of reasons for allowance:

The closest prior art of record, specifically U.S. Patent Publication 2002/0184613 A1 to Kuzemchak et al., taken alone or in combination, fails to teach or suggest a method and computer readable medium for testing a software emulator in such a manner as recited in independent claims 1, 9 and 16.

Instead, Kuzemchak et al. discloses a method for verifying the correct execution of an application that has been ported from one instruction set architecture (ISA) to another ISA. This is accomplished by preparing versions of the application for the source ISA and for the target ISA. These versions are then executed on a simulator or emulator for the appropriate ISA, and after execution is finished, results of the two executions are compared to determine their equivalency and the validity of the ported application. However, Kuzemchak et al. does not explicitly disclose the steps required by independent claims 1, 9 and 16. Specifically, Kuzemchak et al. does not explicitly disclose *executing a test program on a target machine architecture, whereby a test program produces a first output; executing an emulator on the target machine architecture; and the emulator executing the test program under emulation, whereby the test program produces a second output as claimed*, as Kuzemchak et al. discloses building two separate versions of a test program, one version specific to a source ISA, and one

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version specific to a target ISA. This is in contrast to the instant application, wherein a single test program is executed on a target machine architecture, then executing the same test program on an emulator running on the target machine architecture, as required by claim 1. Similar limitations are recited in independent claims 9 and 16.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### *Conclusion*

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trent J Roche whose telephone number is (571)272-3733. The examiner can normally be reached on Monday - Friday, 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on (571)272-3719. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Trent J Roche

Examiner

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TJR

A handwritten signature in black ink, appearing to read 'ANIL KHATRI', with a long horizontal stroke extending to the right.

**ANIL KHATRI**  
**PRIMARY EXAMINER**